

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) No.: 3:07-CR-42-TAV-HBG-4
)
KEITH HICKS,)
)
Defendant.)

ORDER

Before the Court is defendant's pro se motion for early termination of supervised release [Doc. 222]. On May 29, 2009, defendant pleaded guilty to Count One of the indictment charging conspiracy to distribute and to possess with intent to distribute cocaine hydrochloride, a schedule II controlled substance in violation of 21 U.S.C. §§ 846 and 841(b)(1)(A) [Docs. 15, 122]. The Court sentenced defendant to 156 months' imprisonment — which was subsequently lowered to forty-three (43) months — to be followed by ten (10) years of supervised release [Docs. 162, 218]. Defendant has completed over five (5) years of his term of supervised release. On December 28, 2020, the Court received a letter from defendant asking the Court to prematurely terminate his supervised release [Doc. 222]. In support of his request, defendant states he has not had any write-ups or incidents on supervised release, and his probation officers each encouraged him to file this motion upon reaching halfway through his term of release.

The United States Probation Office has confirmed that defendant has been complaint with his conditions and has no known issues of noncompliance. The officer notes

that defendant has completed over half of his term of supervised release. Thus, the officer has no objection to defendant's motion for early termination of supervised release. The government likewise does not oppose defendant's request for early termination.

Title 18, § 3583(e)(1) of the United States Code provides as follows:

The court may, after considering the factors set forth in section 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7)–

(1) terminate a term of supervised release and discharge the defendant released at any time after the expiration of one year of supervised release, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation, if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice

18 U.S.C. § 3583(e). After carefully considering the requirements of the statute, the Court finds that the relevant provisions of 18 U.S.C. § 3553(a) support early termination of defendant's supervised release at this time. In support of this conclusion, the Court notes that defendant has served over five (5) years of his ten (10) year term and has complied with all conditions of his supervised release.

Accordingly, the Court “is satisfied that [early termination] is warranted by the conduct of defendant released and the interest of justice,” 18 U.S.C. § 3583(e)(1), and hereby **GRANTS** defendant's motion [Doc. 222]. Defendant's term of supervised release is **TERMINATED**.

IT IS SO ORDERED.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE